

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

DAVID P. DONOVAN

Plaintiff,

v.

BETH A. WILKINSON

Defendant,

PRO-FOOTBALL, INC.,

Intervenor.

Civil Action No. 1:20-cv-1344 (AJT/IDD)

**PLAINTIFF’S OPPOSITION TO WP COMPANY LLC’S
SECOND MOTION TO INTERVENE [ECF 124]**

Plaintiff David P. Donovan (“Plaintiff”), pursuant to Local Rule 7, hereby opposes the Second Motion to Intervene (ECF 124, “Second Motion”) filed by WP Company LLC (the “Post”) for the same reasons set forth by Intervenor Pro-Football, Inc.’s Memorandum In Opposition To Interested Party WP Company LLC’s Second Motion to Intervene (“PFI’s Opposition”), which Plaintiff joins and incorporates by reference.

As explained in further detail by PFI’s Opposition, the Post’s Second Motion should be denied because: (1) the Post’s Second Motion is procedurally improper because the Court already granted PFI’s consent motion to close the hearing on PFI’s Motion to Seal, Strike, and Reconsider in Part (ECF 91) and it has presented no compelling basis for the Court to reconsider its order; (2) the Post has no standing to assert the Second Motion because the Post’s motion to intervene has not yet been granted, nor is it fully briefed; and (3) the Court correctly held that there is no public right to access to the January 8, 2021 hearing on PFI’s sealed motion to seal.

For these and the other reasons more fully briefed by PFI's Opposition, which Plaintiff joins and incorporates by reference, the Court should deny the Second Motion and the January 8, 2021 hearing should remain closed to the public.

Respectfully submitted, this 6th day of January, 2021.

/s/ Cathy A. Hinger

Cathy A. Hinger (VSB No. 46293)

Lela M. Ames (VSB No. 75932)

Claire J. Rauscher (admitted *pro hac vice*)

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2021, a true and correct copy of the foregoing was filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/ Cathy A. Hinger
Cathy A. Hinger, Esq.